IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

CHARLTON REED TIPTON,	§	
Plaintiff,	<i>ଊ</i> ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ	SA-21-CV-00060-FB
VS.	8	
BOBBY LUMPKIN, DIRECTOR OF THE	§ §	
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE-INSTITUTIONS DIVISION;	§	
LARISSA WYSOCKI, ASSISTANT	§	
WARDEN, CONNALLY UNIT;	§	
AMANDA ACOUSTA, SERGEANT OF	§	
CORRECTIONAL OFFICERS;	§	
CYNTHIA CONTRERAS, SERGEANT	§	
OF CORRECTIONAL OFFICERS; A.	§	
WRONA, SERGEANT OF	§	
CORRECTIONAL OFFICERS; RUTH	§	
TRICE, CAPTAIN OF CORRECTIONAL	§	
OFFICERS; LOBRAINE SALAS,	§	
GRIEVANCE INVESTIGATOR; V.	§	
GARCIA, GRIEVANCE	§	
INVESTIGATOR; RUSSELL BRILEY,	§	
CHAPLAIN; PHONSO RAYFORD,	§	
SENIOR WARDEN; AND	§	
CHRISTOPHER PAULEY, CAPTAIN OF	§	
CORRECTIONAL OFFICERS,	§	
MCCONNELL UNIT;	§	
	§	
Defendants.	§	

ORDER

Before the Court in the above-styled cause of action is Plaintiff's Motion for Extension of Time to File Motion for Reconsideration of the Denial of Recusal, Motion of Opposition to Defendant's Motion to Dismiss [#36]. By his motion, Plaintiff Charlton Reed Tipton asks the Court for an extension of 30 days to renew his motion for reconsideration and for recusal and to file a response to Defendant's Motion to Dismiss. The Court will grant Plaintiff the requested extension as to the response to Defendant's motion to dismiss but will deny any extension related to his request to file another motion for reconsideration and recusal.

Plaintiff's motions for reconsideration and recusal were previously directed to the District Court and complained of the delay in ruling on Plaintiff's motions for preliminary injunctive relief. The District Court denied the motions, explaining that the Court had decided to first rule on Defendant's motion to dismiss prior to issuing any ruling on Plaintiff's request for an injunction. The undersigned agrees with this procedure.

As to Plaintiff's motion for an extension of time to file a response to Defendant's motion to dismiss, the record reflects that Defendant filed his motion to dismiss on September 28, 2021. On October 15, 2021, Plaintiff filed a motion for extension of time, and the Court gave Plaintiff until November 12, 2021, to file his response. Plaintiff filed the motion currently before the Court on November 10, 2021, requesting an extension until December 9, 2021. The District Court referred this case to the undersigned on November 18, 2021. The Court will give Plaintiff until January 8, 2022, to respond to the motion.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Extension of Time to File Motion for Reconsideration of the Denial of Recusal, Motion of Opposition to Defendant's Motion to Dismiss [#36] is **GRANTED IN PART** as follows: Plaintiff file any response in opposition to Defendant's Motion to Dismiss [#32] on or before **January 8, 2022**.

IT IS FURTHER ORDERED that in all other respects the Motion [#36] is **DENIED**. SIGNED this 30th day of November, 2021.

ELIZABETH 8. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE